



DONALD L. WOLFE, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

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P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE

REFER TO FILE: **WM-7**

May 4, 2006

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**SANTA MONICA BAY RESTORATION AUTHORITY  
AMENDMENT TO JOINT EXERCISE OF POWERS AGREEMENT  
AND ADOPTION OF FISCAL YEAR 2005-06 BUDGET  
SUPERVISORIAL DISTRICTS 2, 3, AND 4  
3 VOTES**

**IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY  
OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:**

1. Adopt the enclosed Resolution to amend the Joint Exercise of Powers Agreement (Agreement) between the Los Angeles County Flood Control District (District) and the Santa Monica Bay Restoration Commission (Commission).
2. Authorize the Director of Public Works to execute the enclosed Amendment to the Agreement.
3. Approve the enclosed Fiscal Year 2005-06 Budget for the Santa Monica Bay Restoration Authority (Authority).

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

On April 6, 2004, your Board approved the creation of the Authority, which is a joint powers authority formed by the District and the Commission. The Authority was created to develop and facilitate programs for the protection and enhancement of the natural resources of the Santa Monica Bay and its watersheds, consistent with the District's objectives of flood protection, water supply, groundwater recharge, water conservation, and the reduction of pollutants in the discharges from the District's storm drain system.

The original Agreement designates that the fiscal year of the Authority will be the fiscal year of the District. It is necessary to amend the Agreement to designate the fiscal year of the Authority to be October 1 to September 30. This action is recommended because the U.S. Environmental Protection Agency (EPA), through grants, is the funding source for the Authority's overall budget and requires the work be budgeted in a manner consistent with their fiscal cycle, which is October 1 to September 30. The Amendment has been approved by the governing Board of the Commission. A copy of the Resolution is enclosed.

The Agreement contains several terms and conditions regarding fiscal controls and expenditures of public funds. The Authority is required to adopt an annual budget in a form approved by the District and Commission. The Authority may only disburse funds pursuant to a budget that has been adopted by the Authority and approved by your Board and the governing Board of the Commission. The Authority's budget for Fiscal Year 2005-06 has been approved by the governing Boards of both the Authority and the Commission. Copies of the Commission's and Authority's resolutions are enclosed. Your Board's approval will allow the Authority to commence receipt and disbursement of funds in conformance with the adopted budget.

### **Implementation of Strategic Plan Goals**

This action meets the County Strategic Plan Goals of Fiscal Responsibility and Organizational Effectiveness by developing a partnership to effectively manage our resources and collaborating across jurisdictions.

### **FISCAL IMPACT/FINANCING**

The proposed projects and other expenditures identified in the enclosed budget will be funded by grants awarded to the Authority by the EPA. Approval of the budget will enable the Authority to award State dollars to fund projects of mutual interest to the District and the Commission.

The Agreement approved between the District and Commission also provides for both parties to make monetary contributions to the Authority. The District's contribution is not to exceed \$25,000 in any fiscal year plus \$500 per annum to cover the costs of mailing notices and other required expenditures. This cash contribution from the District is not required for Fiscal Year 2005-06.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Creation of the Authority was authorized pursuant to the Joint Exercise of Powers Act under Government Code Section 6500 et. seq.

Section 17.0 of the Agreement provides that the Agreement shall be amended solely upon the adoption of a Resolution to be amended by each party to the Agreement.

The enclosed Resolution has been approved as to form by County Counsel. The enclosed Amendment will be approved and signed by the governing Board of the Commission upon action by your Board. The budget has been approved and adopted by the governing Boards of the Authority and the Commission.

### **ENVIRONMENTAL DOCUMENTATION**

Approving the Amendment and the Authority's annual budget are not actions subject to the provisions of the California Environmental Quality Act (CEQA) in that it can be seen with certainty that neither will result in a direct or reasonably foreseeable indirect physical change in the environment in accordance with Section 15061(b)(3) of the State CEQA guidelines. Approving this Amendment and budget will have no environmental impact. Any project that may be proposed under the Authority and pursued for construction or implementation will undergo the appropriate environmental review.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Approval of this Amendment would not have a significant negative impact on the current level of services provided by the District or by the County of Los Angeles.

The Honorable Board of Supervisors  
May 4, 2006  
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**CONCLUSION**

Please return three approved originals of the Resolution and three copies of this letter to Public Works.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "D Wolfe", with a long horizontal line extending from the end of the signature.

DONALD L. WOLFE  
Director of Public Works

RJR:sw

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Enc.

cc: Auditor-Controller (John Hartnett)  
Chief Administrative Office  
County Counsel (Mark Yanai)  
Department of Treasurer and Tax Collector  
Santa Monica Bay Restoration Commission (Shelley Luce)



The foregoing resolution was on the \_\_\_\_\_ day of \_\_\_\_\_, 2006, adopted by the Board of Supervisors of the Los Angeles County Flood Control District.

SACHI A. HAMAI  
Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles

By \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER JR.  
County Counsel

By  \_\_\_\_\_  
Deputy

RJR:sw

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AMENDMENT 1 TO AGREEMENT 74798  
SANTA MONICA BAY RESTORATION AUTHORITY  
JOINT EXERCISE OF POWERS AGREEMENT

THIS AMENDMENT, made and entered into as of this \_\_\_\_\_ day of \_\_\_\_\_, 2006, by and between:

THE SANTA MONICA BAY RESTORATION COMMISSION, (hereinafter referred to as Commission) a public agency of the State of California established pursuant to Division 20.7 of the Public Resources Code (Section 30988, et seq.); and

THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, (hereinafter referred to as District) a public agency of the State of California established pursuant to Los Angeles County Flood Control Act, Chapter 755 Stats of 1915, Chapter 28 of the Appendix to the California Water Code.

WITNESSETH

WHEREAS, Agreement 74798 was entered into between the Commission and the District on April 6, 2004, to create the Santa Monica Bay Restoration Authority (hereinafter referred to as Authority); and

WHEREAS, the Commission and District desire to change the fiscal year of the Authority to be consistent with that of the U.S. Environmental Protection Agency for purposes of funding; and

WHEREAS, Section 17.0 of the Agreement requires that the provisions of the Agreement shall be amended solely upon the adoption of a resolution to amend by each party to the Agreement.

NOW, THEREFORE, in consideration of these facts, the Commission and the District agree that Agreement 74798 between them shall be amended as follows:

FIRST: Section 10.0 of the Agreement is hereby amended and modified to read as follows:

The fiscal year of the Authority shall be October 1 to September 30.

SECOND: All other terms, requirements, specifications, and conditions of the original Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the District has, by order of its Board of Supervisors, caused these presents to be subscribed by the Director of Public Works, and the Commission has subscribed its name by and through its duly authorized officers, as of the day, month, and year first written above.

Santa Monica Bay Restoration Commission

By \_\_\_\_\_  
Chairperson

Los Angeles County Flood Control District

By \_\_\_\_\_ Date \_\_\_\_\_  
Donald L. Wolfe  
Department of Public Works

APPROVED AS TO FORM:  
RAYMOND G. FORTNER, JR.  
County Counsel

\_\_\_\_\_



# SANTA MONICA BAY RESTORATION AUTHORITY --FY06 FINAL BUDGET--

## EXPENSES

<b>Personnel</b>		
Executive Director (.43 PY)	\$55,726.13	
Gov. Affairs Director (.21 PY)	\$30,187.63	
Policy Analyst (.42 PY)	\$36,732.15	
Office/Admin. Support (.21 PY)	\$23,546.25	
Env'l. Scientist and/or Planner (1 PY)	\$80,130.44	
Personnel Subtotal		\$226,322.59
<b>Contractual</b>		
Develop new SMBRC Communications Strategy	\$60,000.00	
South Bay watershed coordination and educational outreach	\$100,000.00	
Develop work plan for Comprehensive Bay Monitoring Program	\$110,000.00	
Web/GIS work	\$10,000.00	
Contractual Subtotal		\$280,000.00
<b>Other</b>		
Conferences and Training		\$6,621.37
<b>Expenses Grand Total</b>		<b>\$512,943.96</b>

## REVENUE

	cash	
EPA Grant (National Estuary Program)	\$512,943.96	
<b>Revenue Grand Total</b>		<b>\$512,943.96</b>

**SANTA MONICA BAY RESTORATION COMMISSION**

April 20, 2006

Resolution No. 06-05

*Resolution to change the fiscal year of the Santa Monica Bay Restoration Authority Joint Exercise of Powers Agreement*

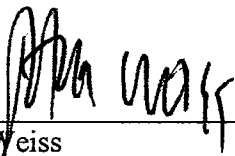
BE IT RESOLVED that the Governing Board of the Santa Monica Bay Restoration Commission hereby:

1. ADOPTS the staff report dated April 10, 2006 for this item;
2. APPROVES a change to the Santa Monica Bay Restoration Authority Joint Exercise of Powers Agreement as follows:

*SECTION 10. FISCAL CONTROLS*

*10.0 The fiscal year of the Authority shall be the fiscal year of the District and Los Angeles County October 1 to September 30.*

BY:



Jack Weiss

Chair, Santa Monica Bay Restoration Commission

**SANTA MONICA BAY RESTORATION COMMISSION**

June 23, 2005

Resolution No. 05-08

*Resolution Regarding 2005-2006 Annual Work Program*

BE IT RESOLVED: That the Governing Board of the Santa Monica Bay Restoration Commission hereby:

1. APPROVES the Commission FY 05-06 overall work plan;
2. AUTHORIZES the Executive Director to prepare and submit a stand-alone SWRCB work plan in accordance with the Commission's overall work plan, and authorize the Executive Director to request SWRCB prepare and submit EPA Section 320 annual grant application based on the approved work plan budget;
3. RECOMMENDS that the Board of Directors of the Santa Monica Bay Restoration Foundation approve and submit to EPA a stand-alone SMBRF work plan in accordance with the Commission's overall work plan; and
4. RECOMMENDS that the Board of Directors of the Santa Monica Bay Restoration Authority approve and submit to EPA a stand-alone SMBRA work plan and Section 320 grant application in accordance with the Commission's overall work plan.

BY:

  
\_\_\_\_\_  
Jack Weiss

Chair, Santa Monica Bay Restoration Commission

**SANTA MONICA BAY RESTORATION AUTHORITY**

June 30, 2005

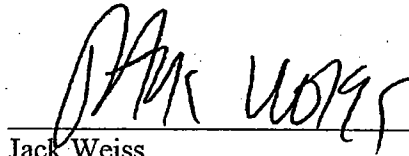
Resolution No. 05-06

*Resolution Regarding 2005-2006 Annual Work Program*

BE IT RESOLVED: That the Governing Board of the Santa Monica Bay Restoration Authority hereby:

1. APPROVES the Authority FY 05-06 overall work plan;
2. AUTHORIZES the Executive Officer to prepare and submit a stand-alone SWRCA work plan in accordance with the Authority's overall work plan, and authorize the Executive Officer to request SWRCA prepare and submit EPA Section 320 annual grant application based on the approved work plan budget;

BY:



Jack Weiss

Chair, Santa Monica Bay Restoration Authority